

FILED
CLERK

9:35 am, Jul 02, 2021

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Jovanni Rodriguez,

Plaintiff(s),

v.

FBCS, Inc.

Defendant(s).

Case No: 2:21-cv-02248-GRB-ST

NOTICE OF SETTLEMENT

NOW COMES Plaintiff(s), by and through counsel, to provide notice to the Court that the present cause has been settled between the parties, and states:

1. A settlement agreement (“Agreement”) is in the process of being finalized. Once the Agreement is fully executed, and Plaintiff has received the consideration required pursuant to the Agreement, the parties will submit a Stipulation of Voluntary Dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

2. The parties respectfully request the Court provide that the parties may seek to reopen the matter for forty-five (45) days to assure that the Agreement is executed and that the settlement funds have cleared.

DATED: July 1, 2021

BARSHAY, RIZZO & LOPEZ, PLLC

By: s/ David M. Barshay
David M. Barshay, Esquire
445 Broadhollow Road | Suite CL18
Melville, New York 11747
Tel: (631) 210-7272
Fax: (516) 706-5055
Our File No.: BRL21146
Attorneys for Plaintiff

ORDER DISMISSING CASE: In light of the settlement in principle this case is hereby DISMISSED without prejudice to its reinstatement should the settlement not be consummated. Barring any further requests for an extension within 45 days of this order, this dismissal shall be deemed with prejudice.

Dated: 7/2/2021

/s/ Gary R. Brown

GARY R. BROWN, U.S.D.J